

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(oracle01.016)

Title: Two-stage commit with queryable caches

15 Commissioner for Patents
Alexandria, VA 22313-1450

Response to a non-final Office action under 37 C.F.R. 1.111

20 Status of the prosecution

A Notice of Appeal was filed in this application on 4/17/06 and an Appeal Brief was filed on 6/15/2006; prosecution was reopened and a non-final Office action was mailed on 9/6/06. In that Office action, Examiner rejected claim 11 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, under 35 U.S.C. 112, second paragraph as indefinite, and under 35 U.S.C. 101 as directed to non-patentable subject matter. Examiner further rejected claims 2-31 under 35 U.S.C. 103(a) as being unpatentable over the combination of Lampson and U.S. Patent 6,538,668, Ruberg, et al., *Distributed settings control protocol*, filed 4/9/99 and issued 3/25/03. Applicants traversed the rejections in a response filed 6 December 2006. On 28 February 2007, Examiner mailed yet another non-final Office action in which he persisted in his rejection of claim 11 under 35 U.S.C. 101 and employed new arguments to again reject all claims under 35 U.S.C. 102(b) as anticipated by Lampson. Applicants are again traversing the rejections.

35 Traversal

The rejection of claim 11 under 35 U.S.C. 101

Claim 11 reads as follows. Reference numbers refer to FIG. 4:

1 **11.** A method practiced in a first component of a distributed system
2 that exchanges messages (403) belonging to a transaction with one or